

"(c) One (1) member of the Executive Committee of the Scientific Board to be elected by the Executive Committee of that body from representatives of the scientific sections or members-at-large."

CONSTITUTIONAL AMENDMENT No. 4

(Printed with Action following Constitutional Amendment No. 5)

CONSTITUTIONAL AMENDMENT No. 5

Author: Dwight L. Wilbur.

Resolved: That Article III, Part A, Section 1, be amended by deleting the word "and" at the end of subsection (c), and by adding a new subsection (d) to read as follows:

"(d) Ex-officio, with the right to vote, the members of the Scientific Board, and"

The present subsection (d) should be redesignated as (e).

ACTION: *The House adopted a motion directing the Council to appoint a committee to make a study and submit a report to the delegates and alternates at least thirty days before the next annual meeting concerning the membership requirements, voting procedures and organization of the scientific sections contemplated in Constitutional Amendments Nos. 1, 2, 3 and 5.*

CONSTITUTIONAL AMENDMENT No. 4

Author: Los Angeles delegation.

WHEREAS, the Council of the C.M.A. is an important group in carrying on the activities of the C.M.A.; and

WHEREAS, it is important that the members of the Council be responsive to the desires of the majority of the members of the C.M.A.; and

WHEREAS, a democratic organization provides a vote to all its members; now, therefore, be it

Resolved: That the Constitution of the C.M.A., Article III, Part B, Section 11, be amended to read as follows:

"SECTION 11—Election of Councilors

"District Councilors shall be elected by the vote of the members, entitled to vote, from each District, in the manner and at the time specified in the Bylaws."

and be it further

Resolved: That the Bylaws of the C.M.A. be amended to provide for the election of District Councilors in accordance with this Constitutional amendment.

ACTION: *Constitutional Amendment No. 4 (together with Bylaw Amendment No. 12 printed under 1962 Bylaw Amendments) was referred to a special*

ad hoc committee to be appointed by the Speaker with instructions to study the proposals and make a report to the House of Delegates at its next annual session.

CONSTITUTIONAL AMENDMENT No. 6

Author: Allyn J. McDowell.

Representing: Los Angeles.

Resolved: That the Constitution of the California Medical Association be amended by adding to Article I, Section 2, the following:

"This Association shall not have the right to enter into a contract with any person, firm, or agency of any kind with respect to the practice of medicine or fees for such practice."

BYLAW AMENDMENTS

Four proposed amendments to the Bylaws introduced in the 1961 House of Delegates were, on recommendation of the Reference Committee and vote of the House, deferred for consideration until 1962.

The Reference Committee also suggested that a special committee be established to review all such deferred amendments. This committee was established by the Council and reviewed all amendments to the Constitution and Bylaws which related to the structure of the Association.

Shown below is the action taken on all proposed amendments to the Bylaws introduced in 1961 and deferred for action in 1962.

1961 BYLAW AMENDMENTS

BYLAW AMENDMENT No. 1

Author: Samuel R. Sherman.

Representing: The Council.

ACTION: *Withdrawn by author.*

BYLAW AMENDMENT No. 6

Author: James MacLaggan.

Representing: San Diego County.

ACTION: *Not adopted by House.*

BYLAW AMENDMENT No. 10

Author: Los Angeles delegation.

ACTION: *Not adopted by House.*

BYLAW AMENDMENT No. 15

Author: Los Angeles delegation.

ACTION: *Not adopted by House.*

1962 BYLAW AMENDMENTS

A total of 14 amendments to the Bylaws was offered to the 1962 House of Delegates. Bylaw amendments may be acted upon after lying on the table for 24 hours, hence all these were eligible for vote at the second meeting of the House.

However, in two instances the House voted that certain Bylaw amendments be referred to a special ad hoc committee for study and voted on in 1963.

Shown below are all amendments to the Bylaws introduced this year, with a report of the action taken by the House.

BYLAW AMENDMENT No. 1

Author: Samuel R. Sherman.

Representing: The Council.

Resolved: That Chapter II, Section 10, Subsections (c) and (d), and Chapter III, Sections 1, 2, 3 and 4 of the Bylaws of the California Medical Association shall be amended as follows:

CHAPTER II, SECTION 10

This section is presently entitled: "Termination of Membership." Its title shall be amended to read: "Termination, *Suspension or Probation* of Membership."

Section 10, Subsection (c), is presently entitled: "By Revocation of Physician and Surgeon's Certificate." This title shall be amended to read: "By Revocation, *Suspension or Probation* of Physician and Surgeon's Certificate." A sentence shall be added at the end of the present subsection to read as follows: "*Receipt of written evidence that the Board of Medical Examiners has found a member guilty of a disciplinary charge but has suspended judgment and placed him on probation for a stated length of time, shall thereupon cause the member to be a probationary member of the Association for a concurrent period of time.*"

Section 10, Subsection (d), shall be amended by inserting the word "probation" after the last comma. The last part of that section would then read: "... shall be subject to censure, *probation*, suspension or expulsion from his society by such component society."

CHAPTER III, Section 1—Disciplinary Procedure for Component Societies

The opening sentence shall be amended to insert the word "probation" after the first comma. It would then read: "The procedure to be followed by each component society with respect to the censure, *probation*, suspension or expulsion of a member shall be:"

SUBSECTION (2)(b)—Creation of Judicial Councils; Secretary's Duties; Preparation of Charges to Judicial Council

This subsection shall be amended by adding the following language at the end thereof: "In any component society having 200 or less active members, the governing board may find that in an unusual case it is unable to act as a Judicial Council because of close personal or professional involvement of members of the Judicial Council with the accused or that the facilities and personnel available to the society are inadequate to impartially and effectively investigate, present and decide an involved or complicated complaint. The governing board may pass a resolution setting forth the facts and request the California Medical Association councilor representing the district in which the county society is located, and the California Medical Association Council, to appoint a five-man district Judicial Council to hear the particular pending case or cases, and ask the California Medical Association to provide staff and financial assistance to investigate and present the case for the county society. Three members of the district Judicial Council shall constitute a quorum. In such instances, the charges shall be served or mailed in the same manner as is provided for a regular county Judicial Council proceeding, however, the district Judicial Council chairman shall be consulted concerning the fixing of the time, date and place of hearing."

SUBSECTION (2)(d)

This subsection shall be renumbered subsection (2)(c).

SUBSECTION (2)(c)

This subsection shall be renumbered subsection (2)(d).

SUBSECTION (3)

The present subsections (3) and (4) shall be repealed and there shall be substituted, a new subsection numbered (3), entitled: "*Service of Charge Upon Accused and Fixing Time and Place of Hearing.*" This section shall read as follows:

"If the Judicial Council determines that further action, with respect to said charges, shall be taken, the Council must fix a time and place for a hearing of said charges. Within fifteen (15) days after such decision, a copy of the charges, together with a written notice of the time and place for the hearing, shall be served upon the complainant, the accused and the Judicial Commission of the California Medical Association. Personal delivery or notice by registered mail shall be addressed to the accused either at his last known office or last known residence.

"The time so set for a hearing shall be not less than fifteen (15) days after the accused has been

served as aforesaid, with a copy of the charges and with the notice of the time and place set for the hearing; said hearing must be held within the county in which the accused holds his county society membership. The hearing before the Judicial Council must actually commence within six months from the date of the filing of written charges. Failure to comply with this requirement shall constitute an automatic dismissal of the charges.

"The Judicial Council shall formally recognize who will prosecute the complaint or appoint someone to do so and grant the appointee necessary authority to make appropriate investigation and obtain help of counsel where needed. It shall be the duty of any member of the Association requested to testify to do so. Failure to testify without an excuse satisfactory to the Judicial Council shall be considered unprofessional conduct."

SUBSECTION (4)

New subsection (4) shall be entitled: "*Appointment and Duties of a Referee*," and shall read as follows:

"The Judicial Commission of the California Medical Association *when it receives a copy of the notice* that a disciplinary proceeding is pending before any component society, may of its motion, and shall upon the request of such component society or of the member or members thereof the subject of any such disciplinary proceeding, appoint a referee who may, but need not be, a member of the California Medical Association, and shall cause the secretary of the California Medical Association to notify the secretary of such component society of such appointment. The referee so appointed shall preside at the hearing of said charges and shall make all decisions concerning the admission or rejection of testimony or other evidence and procedure. The referee shall not, however, have any voice nor participate in any manner in the determination by the Judicial Council of the disposition of the charges. During the hearing the referee shall perform all duties normally performed by the presiding officer of the Judicial Council."

SUBSECTION (5)—Right of Accused to Answer; Time to Answer; Formal Requirements

The following statement shall be inserted at the end of this subsection: "Failure of the accused to appear or be represented at the hearing may be considered prima facie evidence of the truth of the charges. When clear and convincing proof of them is presented, a verdict may be rendered. The accused may be represented by another member of the Association or by legal or other counsel."

SUBSECTION (6)

The previous subsection (6) is repealed and this new subsection shall be entitled: "*Rules Governing Hearing*."

Present subsections (10) (c) entitled: "Technical Rules of Evidence Not to Govern Disciplinary Hearings," and (10) (d) entitled: "Members Agree That No Cause of Action Shall Accrue," shall become subsections (6) (a) and (b) and read as follows:

"(a) Technical Rules of Evidence Not to Govern Disciplinary Hearings. All hearings with respect to the disposition of charges against a member of a component society shall be held and conducted in such manner as to ascertain all the facts fairly to the accuser and accused, eliminating all formal or technical rules and requirements which ordinarily pertain to judicial proceedings."

"(b) Members Agree That No Cause of Action Shall Accrue. Any person so charged, censured, suspended, or expelled shall have no claim or cause of action against this Association, a component society or any member, director, councilor or officer, thereof by reason of such charges, or the hearing or the consideration thereof or censure, suspension or expulsion therefor."

Subsection (6) (c) shall be entitled: "*Challenge or Disqualification of Council Member*," and read as follows:

"The accused shall have the right at the beginning of the hearing to challenge the impartiality of any member of the Council and may exercise this right by stating to the referee the name of the person challenged and the reasons for the challenge. Any member of the Council may disqualify himself to hear a particular case by informing the referee that he believes there exists substantial reason in his own mind that would prevent him from being completely impartial and objective in his consideration of a particular case. In both such instances, the official record should reflect that the referee granted the challenge or the request to be disqualified."

Subsection (6) (d) shall be entitled: "*Record of Proceedings*" and shall read as follows:

"A record of the hearing proceedings including the testimony, documents and rulings shall be made either by a competent shorthand reporter or by recording equipment, if agreeable to both parties. The expense of recording the proceedings shall be borne by the county society except in those cases referred to in subsection (2) (b) where a county society requests the appointment of a district Judicial Council and asks for financial assistance from California Medical Association. The typewritten transcript of the testimony, the documents introduced and the written decision of the Judicial

Council shall constitute the record of the entire proceedings. The secretary shall, upon receipt from the accused of a sum sufficient to defray the proportionate cost thereof, cause a copy or copies of such record to be transcribed, certified and furnished to the accused."

Subsection (6) (e) shall be entitled: "*Right of Parties to Be Heard*," and shall read as follows:

"The Judicial Council shall give ample opportunity both to the accuser and the accused to be heard in person and to present all testimony, evidence, or proofs which the accuser or the accused may deem necessary, provided that the Council may reject all testimony, evidence, or proofs, which in the judgment of the Council are immaterial, irrelevant or unnecessarily repetitious.

"Both parties shall be allowed necessary time to present the matter in an orderly fashion. The complainant or the society or the person appointed by the Judicial Council shall first present the facts in support of the complaint starting with a copy of the charges, together with a statement of all relevant facts concerning the fixing and calling of the meeting and the mailing of the notice to the accused, and any answer that has been filed. A copy of the charges and any documentary evidence to be introduced shall be made available to all parties concerned and the members of the Council. The referee may allow any witness to be reasonably cross-examined. Questions aimed at clarifying or establishing essential details may be asked by the Council. An equal opportunity to present testimony and documents to answer or explain the charges shall be allotted the accused. After the initial presentation of the facts by each side, opportunity shall be afforded for any necessary rebuttal. After all questions have been satisfied, the Council may ask each side to give a brief summary of the essential facts. If further pertinent written information would be helpful to the Council, they may request it."

SUBSECTION (7)—Decision of Council; When Must Be Written; Rules Governing Vote of Council

This new subsection shall take the place of the previous subsection (7) and shall read as follows:

"A simple majority shall constitute a quorum. A member of the Judicial Council not present at the hearing for the entire time shall not be entitled to vote with respect to the disposition of the charges or be considered part of the quorum. Appropriate recesses or adjournment of the hearing may be permitted by the referee.

"The Judicial Council, by at least a two-thirds affirmative vote of all members present at the hearing for the entire time, may vote to exonerate or to censure, suspend, place on probation or expel the accused member if he be found guilty of one or

more of the charges presented. Prior disciplinary action may not be considered in determining whether the accused is guilty of one or more of the charges, but may be considered in assessing an appropriate sanction. Ordinarily, the action taken may be expressed in the form of a resolution. The vote may be taken by written ballot or by roll call. Failure of two-thirds of those eligible to vote to agree as to guilt shall act automatically as a dismissal of the charge. The Judicial Council shall render its decision as to guilt in writing not more than thirty days after the close of the hearing or the receipt of all supplementary written information requested by it. The written decision shall briefly and clearly set forth the particular acts, conduct or omissions for which an accused is found guilty.

"Within ten days after the decision of the Judicial Council is rendered, the secretary to the Judicial Council shall transmit a copy of the decision to the accused, the secretary of the society and the secretary of this Association."

SUBSECTION (8)—Suspension; Reinstatement of Suspended Member; Probation

This new subsection (8) shall repeal and take the place of the previous subsection (8) and shall read as follows:

"A censure shall consist of an oral or written admonition and imposition of appropriate restrictions.

"A member may be suspended by imposing a limited period, not to exceed five years, during which he shall have no rights or privileges to vote, hold office and participate in the activities of the society. Recommendations to the county society Executive Committee concerning eligibility for society insurance benefits and payment of dues shall be specifically made in the decision of the Judicial Council in each case.

"The Judicial Council may impose a fixed period of probation or defer the effective date of a suspension or expulsion. The conditions of probation and the privileges of membership during probation shall be fixed by the decision of the Judicial Council.

"If the accused violates any of the conditions of probation or of suspension, the Judicial Council may terminate the probation and order the suspension or expulsion to become effective on a date specified.

"At the end of the probation or suspension, on application of the disciplined member, the Judicial Council shall consider the quality of his behavior during his suspension or probation, and shall determine whether he shall be reinstated to membership in good standing or the period of suspension or probation extended. This decision of the Judicial Council may be voted, expressed and distributed in

the same manner as is provided for the original decision.

"After the expiration of one year from the date of termination of membership, application for election to membership may be made to the society in the same manner as a new applicant for membership."

**SUBSECTION (9)—Judicial Council's Decision Final;
Subject to Appeal**

This new subsection (9) shall repeal and take the place of the previous subsection (9), and shall read as follows:

"The decision of the Judicial Council shall become final and effective ten days after the expiration of the time limit within which an appeal may be taken to the Judicial Commission of the Association. Filing an appeal with the secretary of this Association shall automatically stay the execution of the decision of the Judicial Council until written notice of the action of the Judicial Commission of this Association with respect to the appeal has been received by the secretary of the component society from which the appeal is taken."

SUBSECTION (10)

Subsection (10) shall be repealed.

**CHAPTER III, SECTION 2—Procedure for Appeal to
Judicial Commission**

The first and second sentences of this section shall be deleted and the following inserted:

"A member of a component society censured, probated, suspended or expelled by his county society may appeal from the action of such component society to the Judicial Commission of this Association within the period of two months succeeding the date of such censure, probation, suspension, or expulsion. Appeals shall be in writing and be filed in the office of the secretary of the Judicial Commission at the California Medical Association office, specifically setting forth the procedures, findings, conclusions or disciplinary action or any part thereof that is questioned or challenged. Those matters not challenged will be presumed to be admitted as factual and reasonable."

The third sentence beginning: "Said appeal shall be accompanied by . . ." and all that follows shall remain as is.

CHAPTER III, SECTION 3—Rules Governing Appeals

After the present first sentence, the following sentence shall be added: "The appellant may be represented by counsel and may submit oral and written material in support of the matter specifically questioned or challenged in his appeal. The county so-

ciety representative and its counsel may appear in support of the decision of the Judicial Council and may submit written and oral statements."

The second sentence and all that follows in this section shall remain as is.

CHAPTER III, SECTION 4

There shall be adopted a new section 4, entitled: "*Investigations and Opinions Concerning Application of the Principles of Medical Ethics*," to read as follows:

"In addition to the powers granted to Judicial Councils in section 1 of this chapter, and to the Judicial Commission in sections 2 and 3, to review specific charges against individuals, they shall have the power to investigate and supervise the ethical professional deportment of the membership of the Association and shall make periodic recommendations for improvement of professional conduct and interpret the meaning and application of the Principles of Medical Ethics. Appropriate investigation or study may be initiated by a formal complaint or by a Judicial Council or the Judicial Commission. The final recommendations should be submitted in the form of a report or bulletin.

"After approval by the appropriate county society executive board or the Council of the California Medical Association, the findings and recommendations shall be binding on all members of the Association after they are published in the official county bulletin or journal of the Association."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 2

Author: Samuel R. Sherman.

Representing: The Council.

ACTION: Withdrawn by author.

BYLAW AMENDMENT No. 3

Author: Samuel R. Sherman.

Representing: The Council.

Resolved: That Chapter V, Section 2, of the Bylaws be amended to read:

"Commencing with the 1964 regular session of the House of Delegates, each component society shall be entitled to two delegates plus one delegate for each 100 active members or major fraction thereof, exclusive of the first 100, according to its membership as of the first day of September of the preceding year. Every six years subsequent to 1964 the Council of the California Medical Association shall automatically review the size of the House of Delegates and make appropriate recommendations."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 4

Author: Samuel R. Sherman.
Representing: The Council.

Resolved: That Chapter VII, Section 1, Subsection (a), Item 2, of the Bylaws be amended to read as follows:

"2. Committee on Aging and Related Health Facilities."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 5

Author: Samuel R. Sherman.
Representing: The Council.

Resolved: That Chapter VII, Section 9, subsection (a) of the Bylaws be amended by adding the following paragraph to the present subsection (a):

"It shall refer for investigation and review to the Committee on Mediation and Medical Care Insurance all complaints received from medical societies in which the component society requests a review by the committee or any case where the component society finds it is unable or unwise for its mediation committee to review the case. Orderly procedures to carry out this function shall be established. The findings and recommendations of the committee concerning each case reviewed shall be reported to the component medical society, the parties to the dispute, this commission and the Council."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 6

Author: Samuel R. Sherman.
Representing: The Council.

Resolved: That Chapter VII, Section 1, of the Bylaws be amended by deleting therefrom the present subsection (d) and substituting therefor the following:

(d) *Bureau on Communications*, responsible for the activities of and through which shall report such committees as may be named by the Council to function in activities bearing on the relations of the Association with its own members and with other individuals or organizations."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 7

Author: Samuel R. Sherman.
Representing: The Council.

Resolved: That Chapter V of the Bylaws be amended by adding thereto a new Section 13, to read as follows:

"13. Introduction of Business

"All business to come before the House of Delegates shall be presented in writing and shall be sent to the Secretary at the headquarters office at least 30 days in advance of the first meeting of any session. The Secretary shall then send copies of all such business to the members of the House of Delegates at least 15 days in advance of the first meeting.

"Business which is not presented within this time limit may be presented in writing to the Secretary as late as seven days before the first meeting of the House of Delegates. Copies of such business shall be made available to the members of the House of Delegates in advance of the first meeting.

"Any business presented less than seven days before the first meeting shall be reviewed by the Council and, if found to be of an emergency nature, shall be approved for introduction into the House of Delegates.

"Any business presented on the floor of the House of Delegates shall be referred to a special committee of the House of Delegates, to be appointed by the Speaker and to consist of at least five members of the House of Delegates, which shall review such business and, if approved, recommend its introduction as emergency business."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 8

Author: Samuel R. Sherman.
Representing: The Council.

Resolved: That Chapter VII, Section 3, Subsection (c) of the Bylaws be amended by the deletion of the last sentence of that Subsection, which reads:

". . . . The members of the Commission on Public Policy shall be selected from the members of the Committee on Legislation and the members of the Committee on Public Relations."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 9

Author: Samuel R. Sherman.
Representing: The Council.

Resolved: That Chapter VII, Section 9, Subsection (d) of the Bylaws be amended by deleting therefrom the present Subsection (d) and substituting therefor the following:

"(d) The Bureau on Communications shall study, investigate, and conduct approved association activities concerning communications and relations between the public and the medical profession and within the profession itself. It shall allocate to various committees for which it may be responsible

particular projects within their respective fields. It shall direct and coordinate the activities of its committees."

ACTION: Adopted by House.

BYLAW AMENDMENT No. 10

Author: Samuel R. Sherman.

Representing: The Council.

Resolved: That Chapter VII, Section 1, be amended by deleting subsections (e) and (f) and by redesignating the present subsection (g) as (e) and the present subsection (h) as (f); and be it further

Resolved: That Chapter VII, Section 9 be amended by deleting subsections (e) and (e)(1) and redesignating subsection (f) as (e).

ACTION: Adopted by House.

BYLAW AMENDMENT No. 11

Author: Samuel R. Sherman.

Representing: The Council.

Resolved: That Chapter IV of the Bylaws of the California Medical Association shall be amended by repealing the present Chapter IV and inserting in its stead the following:

"CHAPTER IV—SCIENTIFIC AND EDUCATIONAL ACTIVITIES OF THE ASSOCIATION

"SECTION 1—Scientific Board

"The Scientific Board shall be responsible for all educational and scientific activities of the Association including the annual and other scientific assemblies, continuing medical education, the Association's official journal, CALIFORNIA MEDICINE, and shall serve as a source of scientific information for members of the Association, the House of Delegates, the Council, commissions and committees of the Association, and the public.

"(a) Composition. It shall be composed of thirty-six (36) members chosen in the following manner:

"(1) One (1) member from each of the currently constituted scientific sections of the California Medical Association—(18).

"(2) Eighteen (18) members-at-large having as broad a representation as practical from the various categories of medicine.

"The Council, on recommendation of the Scientific Board and others, shall name the scientific disciplines to be included in the various categories, and the organizations or groups which may nominate members-at-large to the Board.

"Each scientific section and each named member-at-large organization or group, shall present at least three (3) names in nomination to the Nominating

Committee of the Board. The Nominating Committee shall recommend two (2) names from each section and each member-at-large category to the Executive Committee of the Board and to the Committee on Committees of the Council. Election to membership on the Board shall be made from these nominees by the Council.

"In addition to the above, two (2) members of the Council shall be nominated each year to serve as members of the Scientific Board.

"The editor of CALIFORNIA MEDICINE shall be an ex-officio, nonvoting member of the Scientific Board.

"(b) Term of Office. The term of office for the members of the Scientific Board shall be three (3) years with eligibility for reelection, except that the initial terms of office, when the Board is created, shall be for lesser terms to establish the rotation of one-third ($\frac{1}{3}$) of the Board's membership each year.

"The initial Board shall be selected from the nominations made by the eighteen (18) scientific sections and the categories and groups named as members-at-large, by a special committee of the California Medical Association appointed for this purpose by the chairman of the Council. One-third ($\frac{1}{3}$) of the initial terms of office shall be for one (1) year; another one-third ($\frac{1}{3}$) for the two (2) years; and a final one-third ($\frac{1}{3}$) for three (3) years. The length of term of each of the initial appointees shall be determined by lot.

"(c) Meetings of the Scientific Board. The Scientific Board shall meet annually at the time of the Annual Session of the House of Delegates and the Scientific Assembly. Other meetings of the Board may be held on call of the majority of the members of the Executive Committee of the Board.

"(d) Representation in House of Delegates. The Scientific Board shall name eighteen (18) of its members as ex-officio delegates to the House of Delegates to be chosen in the following manner:

"Nine (9) members shall be chosen from the scientific sections, and nine (9) members shall be chosen from the members-at-large. Not more than one (1) representative shall be chosen from any scientific discipline listed in the Bylaws as a scientific section. When there are two (2) or more members on the Scientific Board from the same discipline, the senior member in term of service on the Board shall serve as the member of the House of Delegates representing that discipline from the Board. When the terms of service of two (2) or more are equal, then the one to serve representing that discipline shall be determined by lot. The initial membership in the House of Delegates from the Scientific Board shall be de-

terminated by a special committee appointed for this purpose by the chairman of the Council.

"The Bylaw provision concerning notification to the secretary of the Association of the names and addresses of delegates shall be followed.

"SECTION 2—Committees of the Scientific Board

"(a) Executive Committee. The Executive Committee shall consist of seven (7) members from the Scientific Board including the chairmen of the committees on Continuing Medical Education and on Scientific Assemblies, (but no more than two (2) members from any one discipline), two (2) members from the Council designated annually by the Council, and the editor of CALIFORNIA MEDICINE as an ex-officio member without the right to vote.

"This shall be a working committee carrying out the usual functions of an Executive Committee, which shall meet on call of the chairman, any three (3) members of the committee, chairman of the Council or the president of the Association.

"(b) The Committee on Continuing Medical Education. The Committee on Continuing Medical Education shall consist of five (5) members from the Scientific Board including the chairman of the Committee on Scientific Assemblies. No more than one (1) member from any discipline shall be appointed. The directors of Continuing Medical Education of the medical schools in California shall be invited to sit as consulting members, (nonvoting), of this committee.

"The functions of this committee shall be:

"(1) Responsibility for all activities of continuing medical education, postgraduate courses, coordination of educational activities with medical schools, other societies, organizations and industries.

"(2) To study and implement recommendations made by the Committee on Scientific Assemblies.

"(3) To study and recommend programs for education and continuing education of those in allied health professions and services.

"(c) Committee on Scientific Assemblies. The Committee on Scientific Assemblies shall consist of nine (9) members from the Scientific Board, one (1) of whom shall be chairman of the Committee on Continuing Medical Education.

The functions of this committee shall be:

"(1) The long-term planning and implementation of scientific meetings.

"(2) To determine the character and scope of the scientific proceedings of the Association for each Annual Session, and to invite the guest speakers, subject to the instructions of the Council.

"(3) It shall act as the Committee on Arrangements for the Annual Session and have charge of all local arrangements not otherwise provided for. It shall have power to appoint local advisory members and subcommittees to aid in its work.

"(4) To have at least one joint session with the section secretaries, at a time and place to be designated by the chairman of the committee, at least forty-five (45) days prior to the Annual Session, to coordinate more efficiently the various activities of the Association at its Annual Session.

"(5) To ensure that if a postgraduate course is to be given at the time of the Annual Session, it shall be given with the approval of the Committee on Continuing Medical Education and the Committee on Scientific Assemblies, and be integrated with the program of the Scientific Assembly.

"(6) At least thirty (30) days prior to each Annual Session, to prepare and issue a program announcing the order in which papers and discussions shall be presented.

"(d) Committee on Scientific Information. The Committee on Scientific Information shall consist of five (5) members from the Scientific Board.

"It shall serve as a source for obtaining and disseminating scientific information to members of the Association, the House of Delegates, the Council, commissions and committees, and the public.

"(e) Committee on CALIFORNIA MEDICINE. The Committee on CALIFORNIA MEDICINE shall consist of five (5) members from the Scientific Board.

"It shall serve in an advisory capacity to the editor and Editorial Board of CALIFORNIA MEDICINE.

"(f) Committee on Cancer. The Committee on Cancer shall consist of seven (7) members; at least three (3) of whom shall be members of the Scientific Board, and the remainder of whom shall be selected from the membership-at-large of the Association. The Committee on Cancer shall be responsible for the activities of this Association in the field of cancer research, prevention, education and control, through which the following standing subcommittees shall report:

"(1) Committee on Cancer Education.

"(2) Committee on Tumor Tissue Registry.

"(3) Committee on Consultative Tumor Boards.

"(4) Committee on New and Unproved Methods of Cancer Treatment.

"Each of these subcommittees shall be composed of five (5) members. The chairman shall be selected from the Committee on Cancer, and four (4) additional members shall be selected from the membership-at-large of the Association.

"(g) Committee on Maternal and Child Care. The Committee on Maternal and Child Care shall

consist of nine (9) members, two (2) of whom shall be members of the Scientific Board representing Obstetrics and Gynecology, and Pediatrics, and seven (7) of whom shall be selected from the membership-at-large of the Association.

"(h) Committee on Nominations. The Committee on Nominations shall consist of three (3) members elected by the Scientific Board at the annual meeting of the Board to serve for one (1) year, eligible for reelection but once, and thereafter only after a one (1) year interval. The chairman of the Scientific Board shall nominate three (3) members and the Board-at-large shall nominate at least three (3) members for election to this committee.

"The functions of this committee shall be to receive and consider nominations for:

"(1) Membership on the Scientific Board from the various scientific sections and scientific organizations eligible to nominate members-at-large of the Scientific Board.

"(2) Membership on the committees of the Board.

"(3) Chairmen, vice-chairmen and secretaries of committees and subcommittees of the Board.

"The Nominating Committee, after consulting with the Executive Committee of the Board, shall recommend to the Committee on Committees of the Council two (2) nominations for each vacancy. The Council shall elect from these nominees, members to the Board and to the committees and subcommittees of the Board.

"SECTION 3—General Provisions Governing the Scientific Board, Its Committees and Subcommittees

"Except as specifically provided herein, the term of office for a member of the Board, a committee or subcommittee, shall be three (3) years, provided, however, that members of the Scientific Board shall not be appointed to a term on a committee for a length of time exceeding their term as a member of the Board.

"Members of the Board shall not serve simultaneously on more than three (3) committees of the Board.

"The provisions relating to procedures and annual reports applicable to California Medical Association commissions and committees shall be applicable to the Scientific Board, its committees and subcommittees, unless otherwise specifically provided for.

"SECTION 4—Scientific Sections

"(a) The Association shall be divided into eighteen (18) scientific sections as follows: Internal Medicine; General Surgery; Pediatrics; Ear, Nose and Throat; Urology, Anesthesiology; Obstetrics and Gynecology; Radiology; Industrial Medicine

and Surgery; Pathology and Bacteriology; Dermatology and Syphilology; Psychiatry and Neurology; General Practice; Preventive Medicine and Public Health; Allergy; Eye; Orthopedics; and Physical Medicine.

"(b) Rules of Procedure of Scientific Sections. Each scientific section shall adopt rules of procedure for its own better government and work. Its officers shall be responsible for the proper keeping of records of scientific and business meetings.

"(c) Officers of Sections. The members of each section shall, at the regular Annual Session of the Association, elect a chairman and a secretary to serve for the term of one year.

"(d) Nominations to the Scientific Board. Each scientific section shall be represented on the Scientific Board by one (1) member who shall serve for a three-year term. Three (3) nominations shall be made for this appointment to the Nominating Committee of the Scientific Board. These nominations shall be made at the time of the Annual Session of the Association.

"(e) Program. Each of the sections may present a scientific program at the Annual Session of the Association, and its officers shall be responsible for the proper preparation of the same, and for the proper cooperation with other scientific sections or organizations in presenting a scientific program during the annual meeting.

"SECTION 5—Meetings and Registration at Annual Session

"The general meetings of the Association, the meetings of the House of Delegates, and the meetings of the Scientific Assembly and its sections at any session shall be held in the State of California at the same locality and in buildings as convenient of access, one to the other, as may be possible.

"Each member in attendance at any session shall register, after his right to membership has been verified by reference to the records of this Association. No member shall take part in any of the proceedings of any session until he has complied with the provisions of this section of the Bylaws.

"SECTION 6—Addresses and Scientific Papers at Annual Session

"The program at Annual Sessions shall be divided between general meetings and section meetings as the Council shall deem appropriate.

"At the general meetings, the president may deliver an address, and, with the sanction of the Council, other addresses and reports may be presented.

"Excepting the president's address and such other addresses and reports as the Council may determine, no address or paper shall occupy more than twenty minutes in delivery.

"No member, except by unanimous consent, shall speak more than once in the discussion of any paper nor longer than five minutes at any one time. This subsection of the Bylaws shall be printed on all programs of general and section meetings.

"All papers read before this Association shall be its property. Each paper, when it has been read, shall be deposited with the secretary of the section, by him to be promptly turned over to the secretary of the Association.

"Authors of papers read before this Association shall not cause them to be published elsewhere except with the consent of the Editorial Board."

ACTION: *Adopted by House.*

BYLAW AMENDMENT No. 14

Author: Samuel R. Sherman.

Representing: The Council.

Resolved: That Chapter II, Section 3(b) of the

Bylaws of the California Medical Association shall be amended by inserting after the second sentence of said Section 3(b) a new sentence to read as follows:

"A person holding a physician's and surgeon's certificate under the jurisdiction of the State Board of Osteopathic Examiners on or before September 30, 1962, who holds a degree of Doctor of Medicine issued to him by the College of Osteopathic Physicians and Surgeons (or its successor), and whose license to practice medicine and surgery is unrevoked and unsuspended, is eligible for election to active membership in a component society. However, in the event that a charter is outstanding to a statewide component society, none of such persons shall be permitted to join any component society other than the statewide component society, without the express consent of such statewide society."

ACTION: *Adopted by House.*

BYLAW AMENDMENTS FOR ACTION IN 1963

BYLAW AMENDMENT No. 12

Author: Los Angeles delegation.

WHEREAS, the Council of the C.M.A. is an important group in carrying on the activities of the C.M.A.; and

WHEREAS, it is important that the members of the Council be responsible to the desires of the majority of the members of the C.M.A.; and

WHEREAS, a democratic organization provides a vote to all its members; now, therefore, be it

Resolved: That the Bylaws of the C.M.A., Chapter VIII, Section 6 and Section 6.5 be amended to read as follows:

SECTION 6—Election of District Councilors in Districts Having One or More Councilors

"The members of each component society shall elect the number of District Councilors to which the component society is entitled. At least sixty (60) days prior to the next scheduled session of the House of Delegates, the Secretary of each component society shall forward to the Secretary of the Association, on forms provided by the Association, the names and addresses of those District Councilors, so elected, and shall certify thereon, the term of service of each individual Councilor.

"District Councilors shall be elected, by the districts, at the same time and manner that Delegates and Alternates to the House of Delegates of the Association are elected by their respective component societies.

"Districts, in which Councilor vacancies are about to occur, shall, by secret ballot and majority vote, of the members of the district eligible to vote, and voting, elect a District Councilor to fill each vacancy, from such district, to serve for the ensuing term.

"Where new offices are created under the terms of Article III, Part B, Section 9(a) of the Constitution, each such new office shall be numbered serially with those already existing, and shall carry an initial term extending to the same date as has been previously established for offices in the same numerical sequence, heretofore established, and thereafter for a term of three (3) years."

and be it further

Resolved: That Section 6.5 of Chapter VIII of the Bylaws of the C.M.A. be repealed and stricken from the Bylaws.

ACTION: *Bylaw Amendment No. 12 (together with Constitutional Amendment No. 4 printed under 1962 Constitutional Amendments) was referred to a special ad hoc committee to be appointed by the Speaker with instructions to study the proposals and make a report to the House of Delegates at its next annual session.*

BYLAW AMENDMENT No. 13

Author: Allyn J. McDowell.

Representing: Los Angeles.

WHEREAS, the C.M.A. Bylaws have heretofore provided for a referendum vote of all the members